



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2021 APR -8 PM 12:11
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 107397

General Information

The undersigned hereby petitions the Board of Zoning Appeal for the following:

Special Permit: X

Variance:

Appeal:

PETITIONER: Allen Realty Trust C/O Patrick A. Curley Jr., Trustee

PETITIONER'S ADDRESS: 172 School St - Rebecca Rutenberg, Wayland, MA 01778

LOCATION OF PROPERTY: 200 Monsignor Obrien Hwy., Cambridge, MA

TYPE OF OCCUPANCY: Cannabis Retail Store

ZONING DISTRICT: Business A Zone

REASON FOR PETITION:

/Parking/

DESCRIPTION OF PETITIONER'S PROPOSAL:

Reconfigure an existing non-conforming parking lot and locate four on grade open parking spaces within five feet of the side and rear property lines, but no closer than those previously existing non-conforming spaces.

SECTIONS OF ZONING ORDINANCE CITED:

Article: 6.000 Section: 6.44.1.B (Parking Setbacks).

Article: 10.000 Section: 10.40 (Special Permit).

Original
Signature(s):

(Petitioner (s) / Owner)

Patrick Curley
(Print Name)

Address:

BZA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals.

I/We Allen Realty Trust, Patrick A. Curley Jr., Trustee

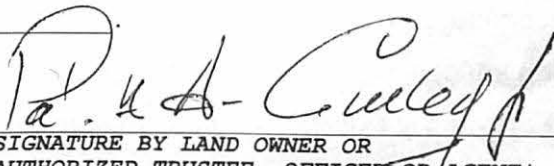
(OWNER)

Address: 425A Dedham Street, Newton, MA 02459

State that I/We own the property located at 200 Monsignor O'Brien Highway, Cambridge, MA 02141, which is the subject of this zoning application.

The record title of this property is in the name of Allen Realty Trust, Patrick A. Curley Jr., Trustee

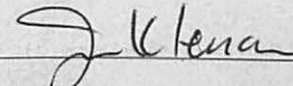
*Pursuant to a deed of duly recorded in the date 11/15/1991, Middlesex South County Registry of Deeds at Book 14601, Page 122; or Middlesex Registry District of Land Court, Certificate No. _____ Book _____ Page _____


SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT*

*Written evidence of Agent's standing to represent petitioner may be requested.

Commonwealth of Massachusetts, County of Middlesex

The above-name Patrick A. Curley, Jr. personally appeared before me, this 3rd of Feb., 2021, and made oath that the above statement is true.

 Notary

My commission expires July 26, 2026 (Notary Seal).

- If ownership is not shown in recorded deed, e.g. if by gift, or inheritance, please include documentation.



BZA Application Form**SUPPORTING STATEMENT FOR A SPECIAL PERMIT**

Please describe in complete detail how you meet each of the following criteria referring to the property and proposed changes or uses which are requested in your application. Attach sheets with additional information for special permits which have additional criteria, e.g.; fast food permits, comprehensive permits, etc., which must be met.

Granting the Special Permit requested for 200 Monsignor Obrien Hwy , Cambridge, MA (location) would not be a detriment to the public interest because:

A) Requirements of the Ordinance can or will be met for the following reasons:

A literal enforcement of the provisions of this Ordinance would involve a substantial hardship to the petitioner by further reducing the allowable parking adjacent to Nuestra's proposed business and requiring Nuestra to seek a variance from the Zoning Ordinance for relief from minimum parking thresholds. The plan as provided would meet the parking thresholds for Nuestra's proposed use through a reconfiguration of the existing parking spaces that is no closer than those previously existing non-conforming spaces.

B) Traffic generated or patterns of access or egress would not cause congestion hazard, or substantial change in established neighborhood character for the following reasons:

Nuestra sought a Special Permit from the Planning Board to operate a Cannabis Retail Store at the site. The Cambridge Planning Board, Community Development Department, and Traffic Parking and Transportation Department recommended alterations to the site as demonstrated on the enclosed plan to enhance vehicle and pedestrian safety, improve streetfront views, and allow for increased sustainable transportation options on site.

C) The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would not be adversely affected by the nature of the proposed use for the following reasons:

The proposed parking spaces are no closer to the side lot line than the previously existing nonconforming parking spaces, which had been in place at the site since 1980. The owners of the adjacent property also own the subject property. The proposed site plan removes existing nonconformities to the rear of the site. As such, the proposed plans reduce the parking impact on the site and allow substantial improvement to visual character, lot safety, and alternative modes of transportation, all of which positively impact adjacent uses.

D) Nuisance or hazard would not be created to the detriment of the health, safety, and/or welfare of the occupant of the proposed use or the citizens of the City for the following reasons:

Nuestra sought a Special Permit from the Planning Board to operate a Cannabis Retail Store at the site. The Cambridge Planning Board, Community Development Department, and Traffic Parking and Transportation Department recommended alterations to the site as demonstrated on the enclosed plan to enhance vehicle and pedestrian safety, improve streetfront views, and allow for increased sustainable transportation options on site.

E) For other reasons, the proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance for the following reasons:

As submitted, the plans comply with the goals of the Cambridge Zoning Ordinance by allowing for adequate parking to meet the needs of Nuestra's business without impacting abutting sites. The updated lot configuration incorporates many desirable urban design objectives that would meet the City's goals of encouraging non-automobile modes of transportation, enhancing the safety of drivers and pedestrians, and improving urban streetscapes.

***If you have any questions as to whether you can establish all of the applicable legal requirements, you should consult with an attorney.**

BZA Application Form**DIMENSIONAL INFORMATION**

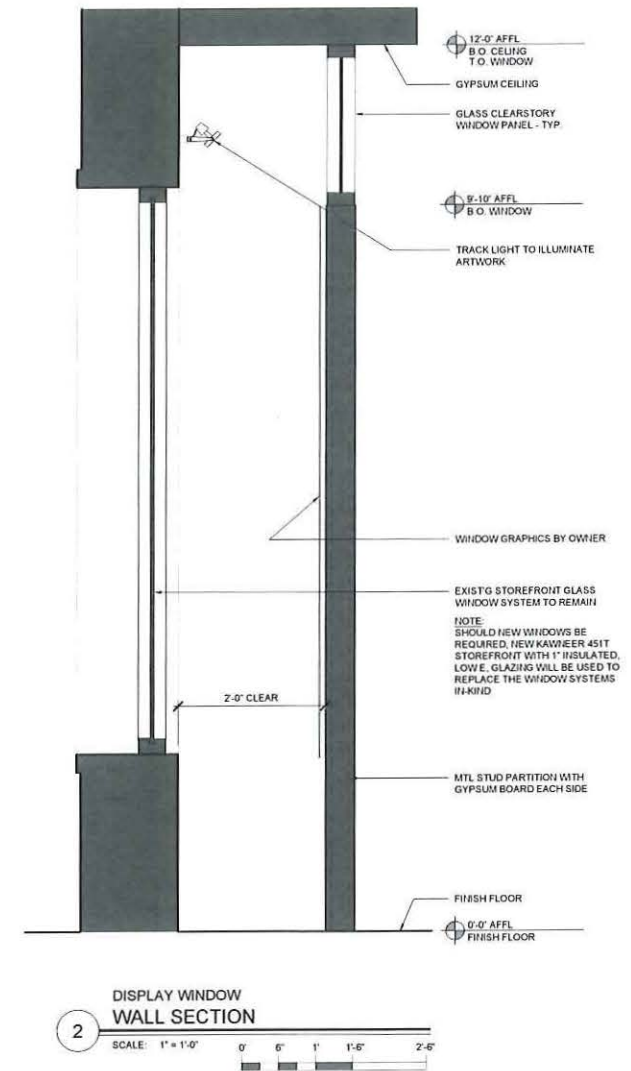
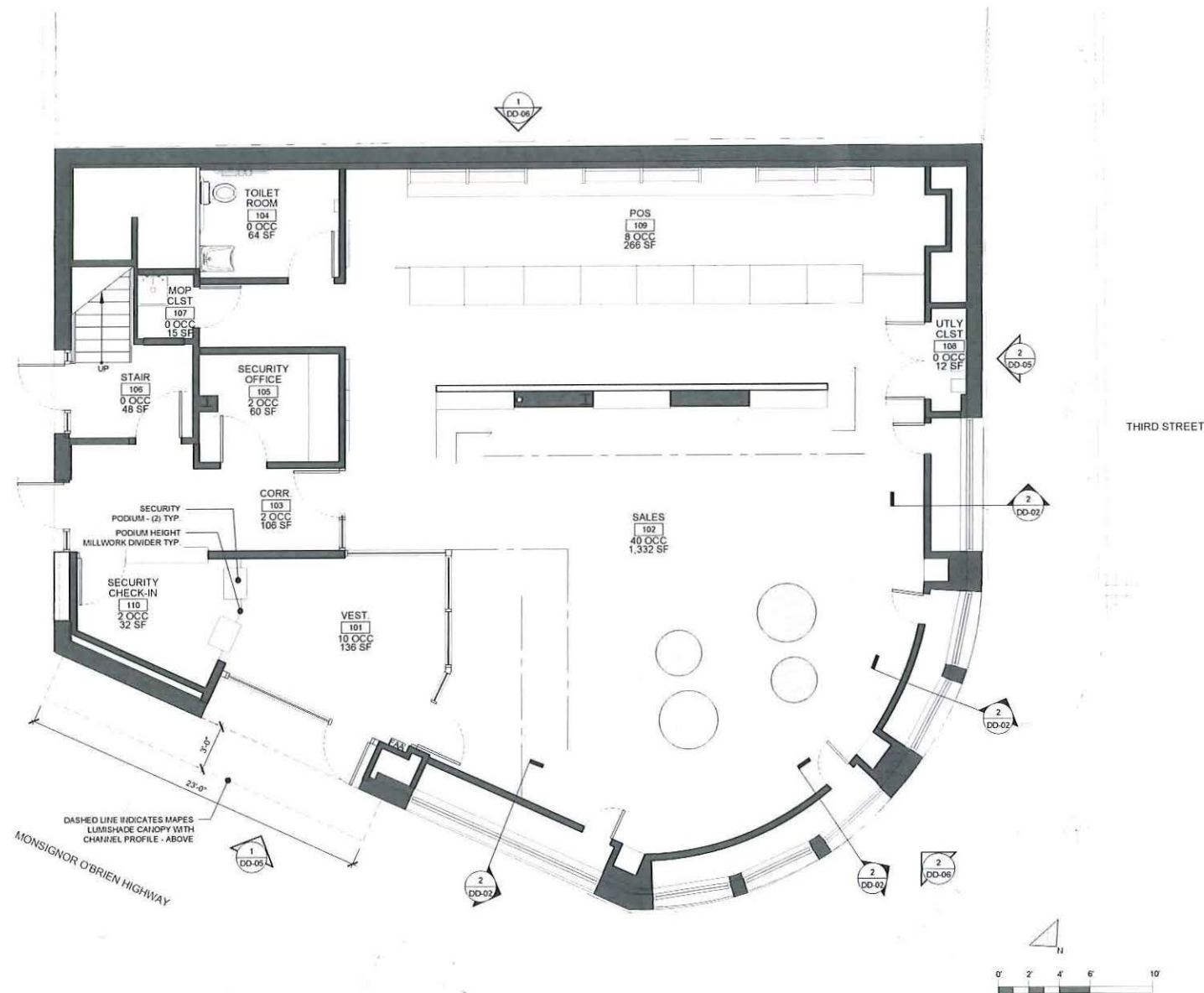
Applicant: Allen Realty Trust
Location: 172 School St - Rebecca Rutenberg
Phone: 6106755958

Present Use/Occupancy: Cannabis Retail Store
Zone: Business A Zone
Requested Use/Occupancy: Cannabis Retail Store

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		N/A	N/A	N/A	(max.)
<u>LOT AREA:</u>		N/A	N/A	N/A	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>		N/A	N/A	N/A	
<u>LOT AREA OF EACH DWELLING UNIT</u>		N/A	N/A	N/A	
<u>SIZE OF LOT:</u>	WIDTH	N/A	N/A	N/A	
	DEPTH	N/A	N/A	N/A	
<u>SETBACKS IN FEET:</u>	FRONT	0.3+/-	0.3+/-	N/A	
	REAR	64 +/-	64 +/-	N/A	
	LEFT SIDE	0.2+/-	0.2+/-	N/A	
	RIGHT SIDE	0	0	N/A	
<u>SIZE OF BUILDING:</u>	HEIGHT	N/A	N/A	N/A	
	WIDTH	N/A	N/A	N/A	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		N/A	N/A	N/A	
<u>NO. OF DWELLING UNITS:</u>		N/A	N/A	N/A	
<u>NO. OF PARKING SPACES:</u>		7	5	5	
<u>NO. OF LOADING AREAS:</u>		N/A	N/A	N/A	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>		N/A	N/A	N/A	

Describe where applicable, other occupancies on the same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g; wood frame, concrete, brick, steel, etc.

1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.



RETAIL DISPENSARY
200 MONSIGNOR HIGHWAY | CAMBRIDGE, MA

NUESTRA

1ST FLOOR PLAN

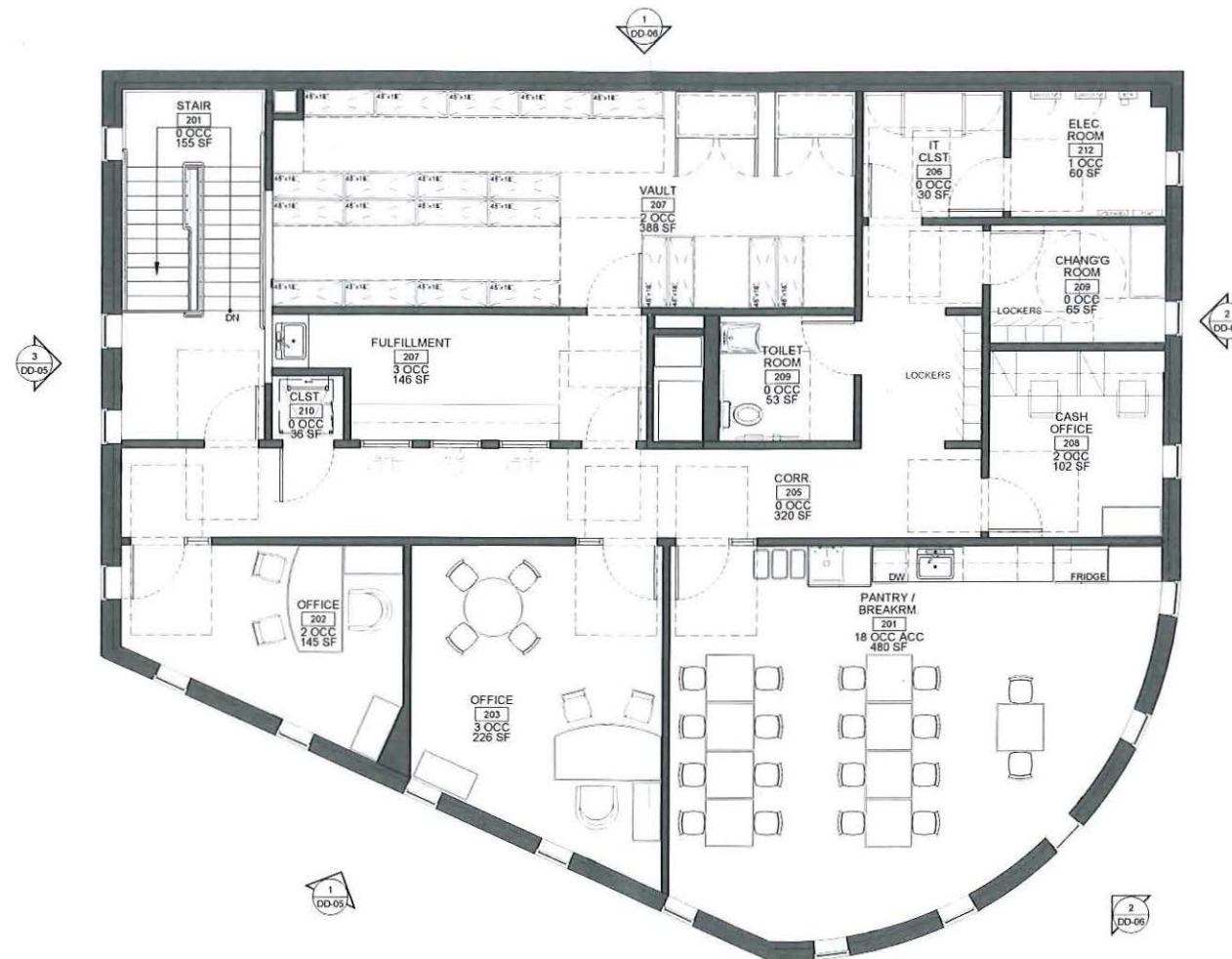
Drawn by: JKC

BKA # 220066

Date: 06/26/2020

DD-02 **BKA** ARCHITECTS

Boston + Brockton
142 Crescent Street
Brockton, MA 02302
508.583.5603
bkaarchitects.com



RETAIL DISPENSARY
200 MONSIGNOR HIGHWAY | CAMBRIDGE, MA

NUESTRA

2ND FLOOR PLAN

Drawn by: JKC

BAK # 220066

Date: 06/26/2020

DD-03 **BAK** / **ARCHITECTS**

Boston + Brockton
142 Crescent Street
Brockton, MA 02302
508.583.5603
bkaarchitects.com



200 Msgr. O'Brien Hwy

Retention

20-18
ALLEN, WILLIAM E. & LOUISE M. ALLEN
14 THIRD ST.
CAMBRIDGE, MA 02141

20-103
CURLEY, PATRICK A., JR.
TR. OF ALLEN REALTY TRUST
200 MSGR O'BRIEN HIGHWAY
CAMBRIDGE, MA 02141

PATRICK A. CURLEY, JR. TRUSTEE
172 SCHOOL STREET – REBECCA RUTENBERG
WAYLAND, MA 01778

20-80
GAO, QING SHENG & MEI SUN
115 FARNHAM ST
BELMONT, MA 02478-3172

20-16
MEOLA, DAMIAN D.
TRUSTEE OF DMD REALTY TRUST
20 THIRD ST
CAMBRIDGE, MA 02141

20-92
LECHMERE RUG LLC,
200 MONSIGNOR O'BRIEN HWY.
CAMBRIDGE, MA 02141

20-15
L. J. REALTY CORPORATION
138 WOODSIDE LANE
ARLINGTON, MA 02474

20-17
BALORDI, VIRGINIA A., LOUISE ALLEN &
PAUL BALORDI
16 THIRD ST
CAMBRIDGE, MA 02141-1210

21-100 /20-14
FERRARO, LOUIS,
TR. OF 14 TRAPELO ROAD NOMINEE TRUST
64 FLETCHER ROAD
BELMONT, MA 02478

7-31
NATRAJ HOSPITALITY LLC
14 HILL ST
WOBBURN, MA 01801

7-115
MONSIGNOR HOTEL, LLC
1359 HOOKSETT RD.
HOOKSETT, NH 03106

21-38
O'SHEA, JON
19-25 THIRD ST. UNIT#19/1
CAMBRIDGE, MA 02141

21-38
SCHLABACH, KEIKO & KEVIN SCHLABACH
25 THIRD ST., #25/2
CAMBRIDGE, MA 02141

21-38
QUAN, HAO
25 THIRD ST., #25/1
CAMBRIDGE, MA 02139

7-34
JOHN FAHIMIAN, LLC
126 ADAMS ST
MILTON, MA 02186

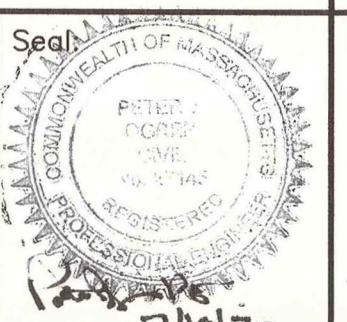
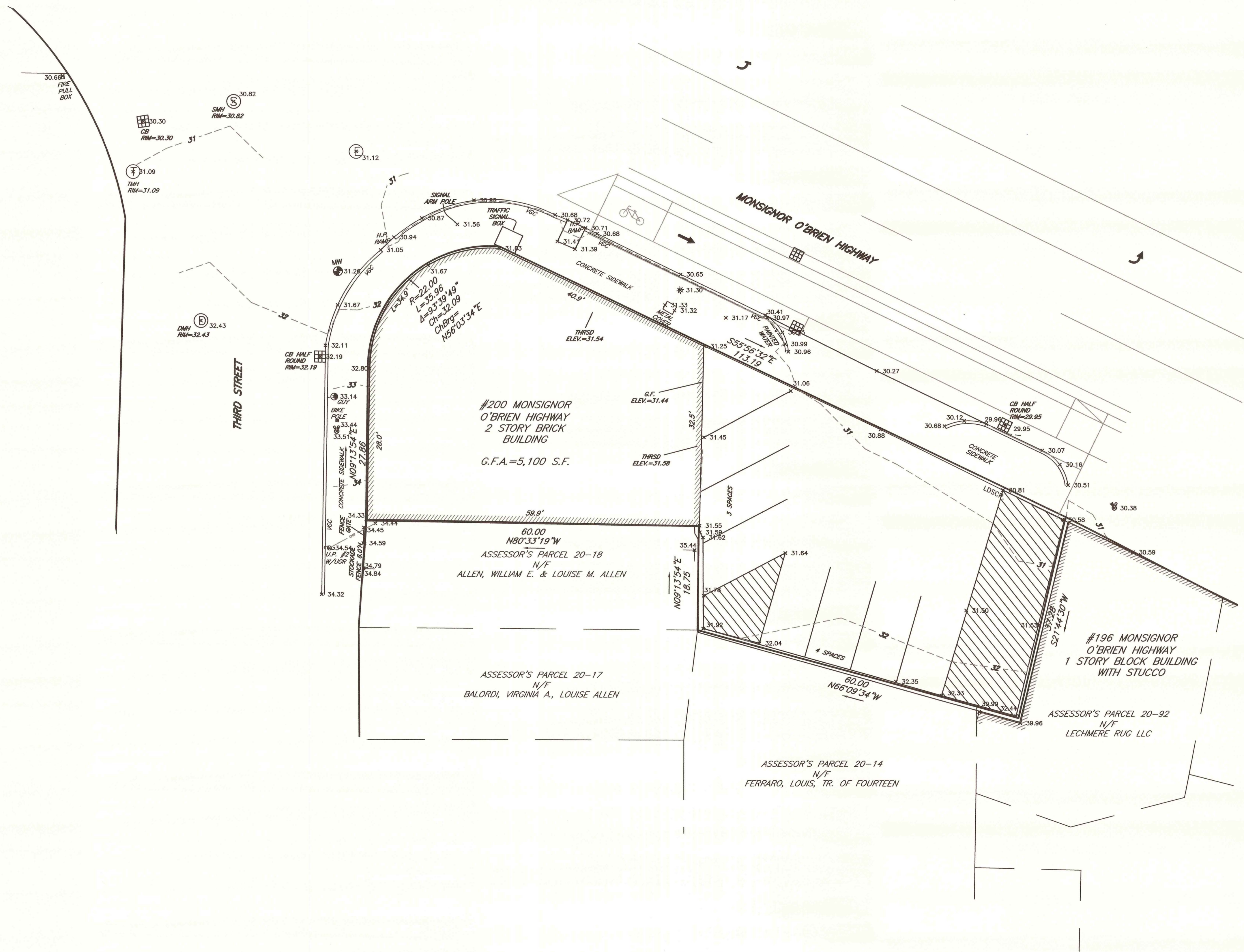
20-93
31 GORE LLC
2 LINCOLN ST
SOMERVILLE, MA 02145

20-105
33 GORE LLC
2 LINCOLN ST
SOMERVILLE, MA 02145

21-38
ZHAO, QIN & BEI YU
17 CLELLAND RD
LEXINGTON, MA 02421

21-121
8 WINTER ST, LLC
271 LINCOLN ST, SUITE 10
LEXINGTON, MA 02421

21-38
WEI, ZHENG GUANNAN WANG
19-25 THIRD ST UNIT 19/2
CAMBRIDGE, MA 02141



Prepared For:

Owner / Applicant
Nuestra, LLC
150 Mount Street
Suite 220
Boston, MA 02116

Prepared By:

Hayes Engineering, Inc.
603 Salem Street
Wakfield, MA 01880
Ph: 781.246.2800
Fax: 781.246.7566
www.hayeseng.com

Design By: TC
Drawn By: TC
Checked By: PJO
Project File: CAM-0043
Comp. No: CAM34

☒ Issued For Permit
☐ Issued For Review
☐ Issued For Bid
☐ Issued For Construction
☒ Not For Construction

No.	Revision	Date
10		
9		
8		
7		
6		
5	Planning Comments	7/10/20
4	Revised for Nuestra Application	6/1/20
3	New Applicant: Nuestra, LLC	5/11/2020
2	Pre-Submittal Comments	10/4/2018
1		

Scale: 1"=10'

0' 5' 10' 20'

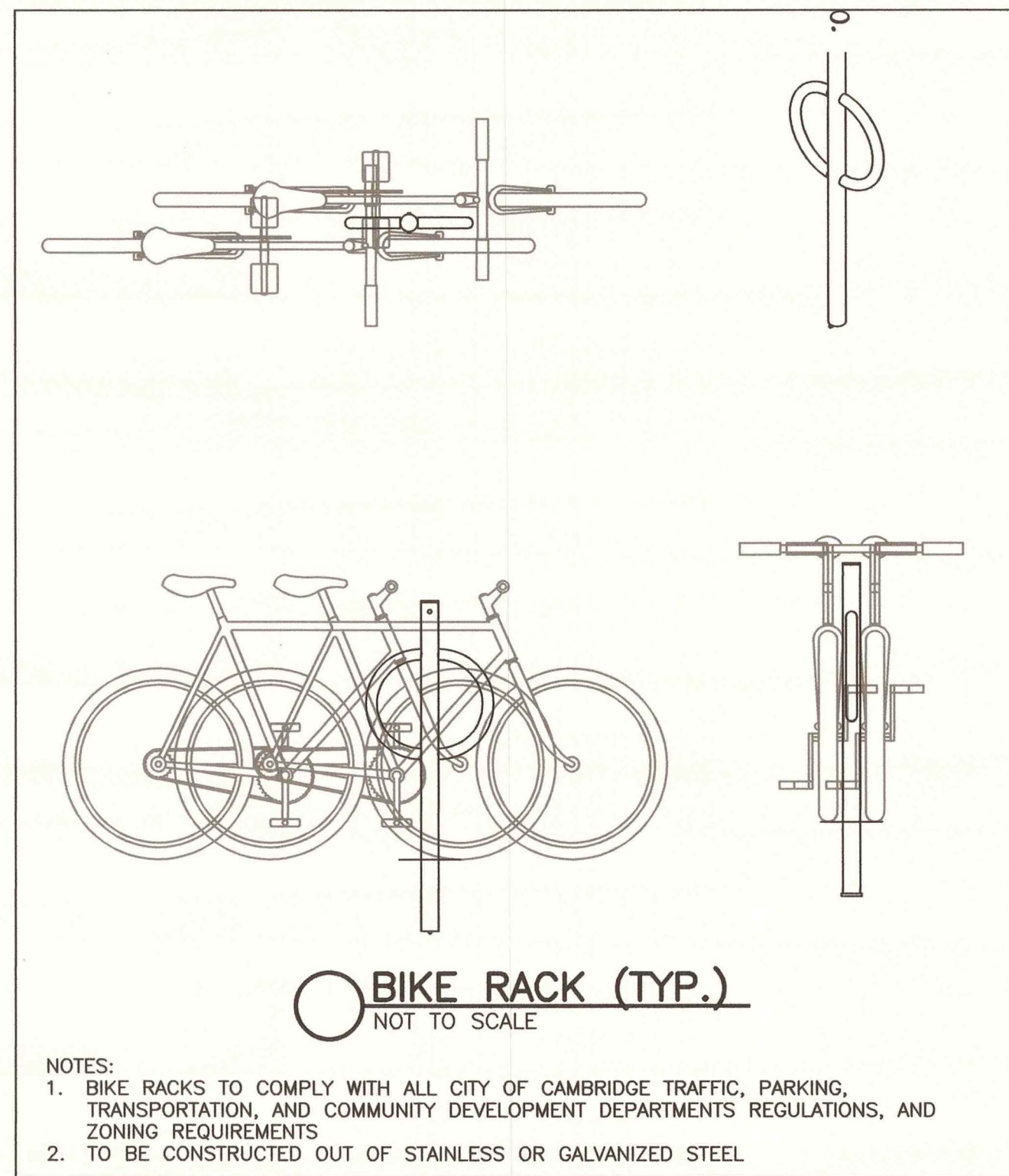
Drawing Title:

SITE PLAN
PROPOSED CANNABIS RETAIL STORE
#200 MONSIGNOR O'BRIEN HWY.
CAMBRIDGE, MASS.

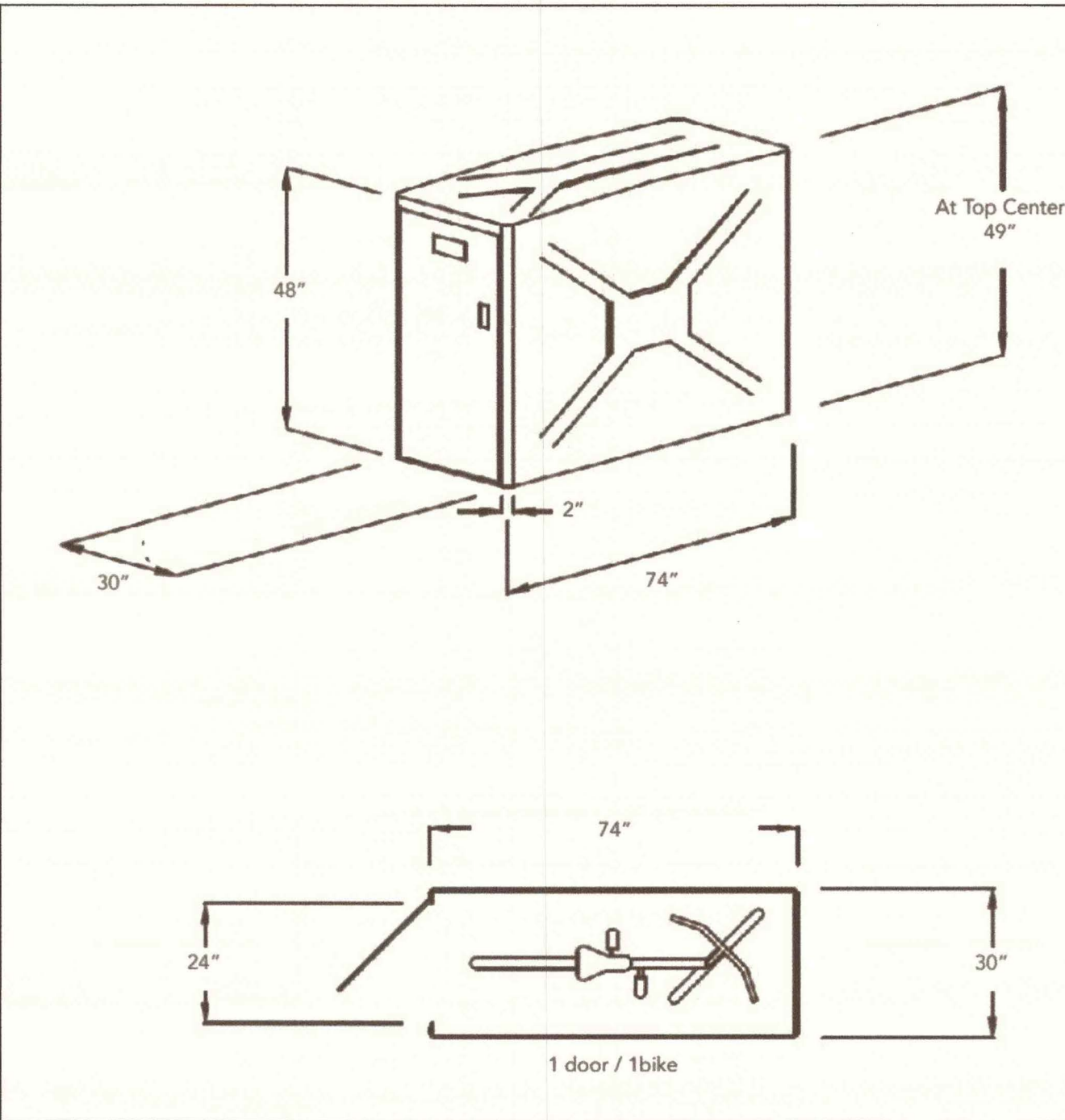
Drawing No.:

C2
EXISTING
SHEET 2 OF 4

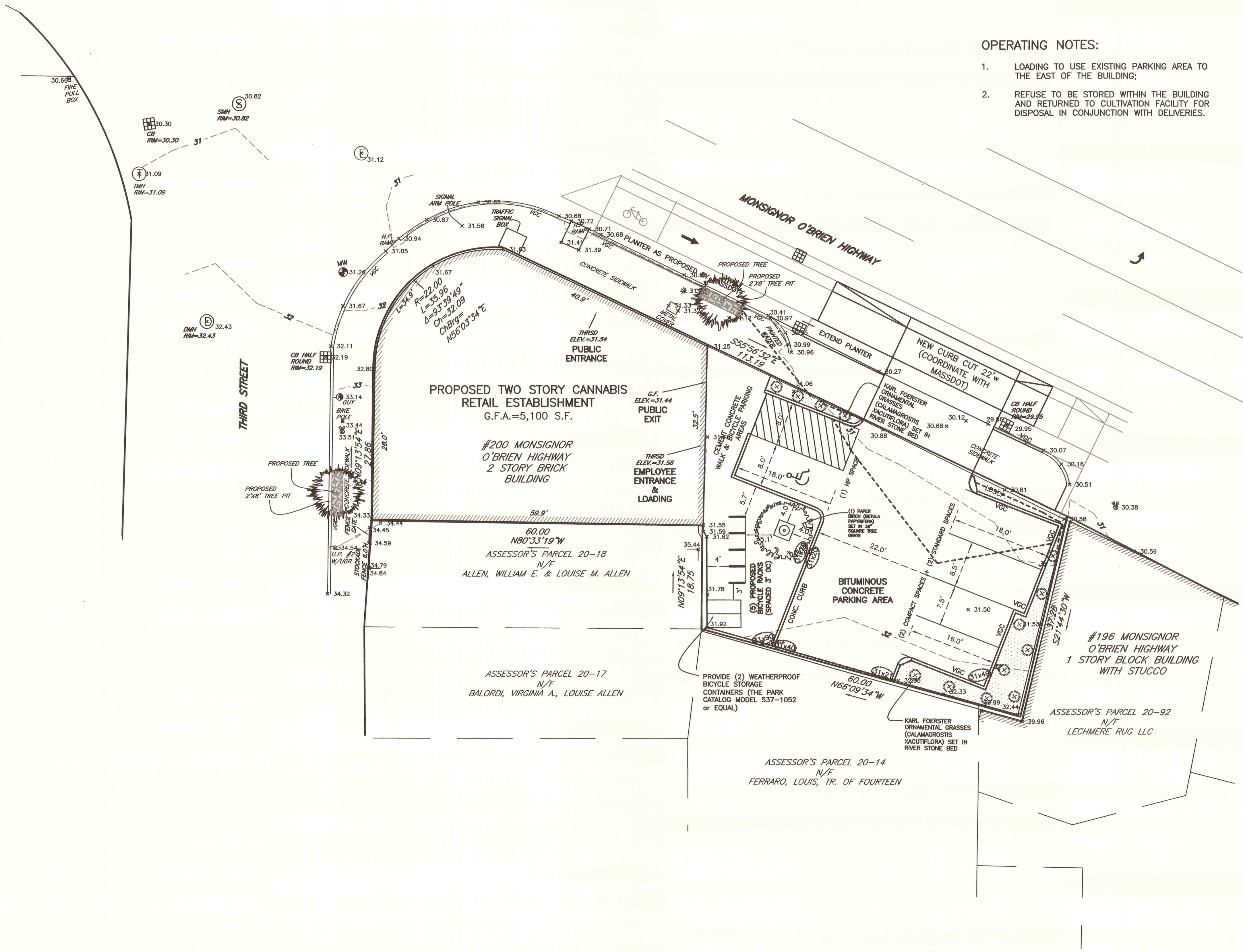
Date: September 6, 2018



NOTES:
1. BIKE RACKS TO COMPLY WITH ALL CITY OF CAMBRIDGE TRAFFIC, PARKING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT DEPARTMENTS REGULATIONS, AND ZONING REQUIREMENTS
2. TO BE CONSTRUCTED OUT OF STAINLESS OR GALVANIZED STEEL



BIKE STROAGE LOCKER DETAIL



OPERATING NOTES:

1. LOADING TO USE EXISTING PARKING AREA TO THE EAST OF THE BUILDING;
2. REFUSE TO BE STORED WITHIN THE BUILDING AND RETURNED TO CULTIVATION FACILITY FOR DISPOSAL IN CONJUNCTION WITH DELIVERIES.

Prepared For:

Owner / Applicant
Nuestra, LLC
198 Tremont Street
Suite 228
Boston, MA 02116

Prepared By:

Hayes Engineering, Inc.
603 Salem Street
Wakfield, MA 01880
Ph: 781.246.2800
Fax: 781.246.2586
www.hayeseng.com

Design By: TC
Drawn By: TC
Checked By: PJO
Project File: CAM-0043
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☒ Issued For Permit
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☒ Not For Construction

No.	Revision	Date
10		
9		
8		
7		
6		
5		
4		
3		
2		
1		

Scale: 1"=10'
0' 5' 10' 20'
Date: September 6, 2018

Drawing Title:
SITE PLAN
PROPOSED CANNABIS RETAIL STORE
#200 MONSIGNOR O'BRIEN HWY.
CAMBRIDGE, MASS.

Drawing No.:

C3

PROPOSED
SHEET 3 OF 4

